

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

RAYMOND ANDREW BIVINS,
#151172,

Petitioner,

V.

CASE NO. 1:17-CV-194-WKW
[WO]

CYNTHIA STEWART, STEVEN
T. MARSHALL, and the STATE
OF ALABAMA,

Respondents.

ORDER

Before the court is the Recommendation of the Magistrate Judge. (Doc. # 12.)

There being no timely objection filed to the Recommendation, and based on a review of the record, it is ORDERED as follows:

1. The Recommendation of the Magistrate Judge (Doc. # 12) is ADOPTED;
2. Petitioner Raymond Andrew Bivins's petition for habeas corpus relief is DENIED; and
3. Mr. Bivins's petition is DISMISSED without prejudice to allow him an opportunity to exhaust available state-court remedies.

A final judgment will be entered separately.

DONE this 14th day of July, 2017.

/s/ W. Keith Watkins

CHIEF UNITED STATES DISTRICT JUDGE